

FILED  
SUPREME COURT  
STATE OF OKLAHOMA

OCT 22 2010

MICHAEL S. RICHIE  
CLERK

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

OKLAHOMA DEPARTMENT OF )  
SECURITIES, )  
 )  
Plaintiff/Appellee, )  
vs. )  
 )  
JEFF BURKE, )  
 )  
Appellant, )  
 )  
And )  
 )  
STEPHEN J. MORIARTY, Court )  
Appointed Special Master for Heritage )  
Estate Services, LLC, an Oklahoma limited )  
liability company, )  
 )  
Appellee. )

No. DF-108101

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APPELLANTS BRIEF

## EXHIBIT "A" APPELLANT'S STATEMENT OF THE CASE

On 10-30-08, I Jeff Burke won a contract for an A/C upgrade for D.O.C. On 1-16-09 I was sentenced to 60 days to do in Ok. County Jail, while my stay in jail the contract is due by a time basis, so I had my friend Joe Johnson fill out the contract and send it in for me, He (Johnson) put his address so when everything come ie.. the letter to proceed he (Johnson) would know when to proceed with the job. I then got out of O.C.J. early for work performed and was able to start the job myself and finish as well. I turned in a Substantial Completion draw under the contract award name of Jeff Burke, D.O.C. told me the name was under Heritage EST Services in which I had my brother make a fictitious name and bank account in Las Vegas, Then D.O.C. did a change order to do more work in which I completed. So I submit my final draw, When I go to pick it up I was told that the Ok Dept. of Securities had taken my check. They (O.D.S.) came up with a story that I was a part of Heritage Estate Services and was President of this company so they had a right to my check, I know Joe Johnson who did use me as a servicing agent so I could sign for anything he received through Certified mail because I have been at my residence since 1994, that does not mean I have anything to do with his business. My company has a similar name based out of Las Vegas in which they (O.D.S.) has no jurisdiction, I (Jeff Burke) being an American citizen can use any name of business and can use any address I well please without connecting me with anyone else. I have been a sole proprietor since 1992 and still am today. On 2-12-10 a hearing was held to release money that I had worked for, They (O.D.S.) presented some checks that had been written to me from 9-06 thru 10-08 for multiple tasks I have done for Mr. Johnson, so the judgment was against me for the reason that I was a loan to me. That reason was never brought up to the court, Ok Dept of Sec only said I was Pres who only made \$7200 in 3 years on which (O.D.S.) claimed \$12,000,000 the math doesn't add up, They (O.D.S) stated that I was not even named on the civil case so I didn't have any claim to my money, I had no way to look at accounts to see what all had been written to me. (O.D.S.) investigated Brian Mkye for 3 years did not finding anything wrong, They (O.D.S.) have not proven anything that I was associated with Johnson or Mkye other than I was put as a servicing agent without my knowledge and a few checks for work performed.